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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Robert E. Haines

Group Art Unit: 2143

Serial No.: 09/976,715

Examiner: England, David

Filed: October 11, 2001

Docket No. 10007587-1

For: **Hardcopy Output Engine Discovery Method and Apparatus**

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Notice of Non-Compliant Amendment mailed March 27, 2005 has been carefully considered. Applicant submits this Response to the Notice.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on:

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Mary M. Seper
Signature

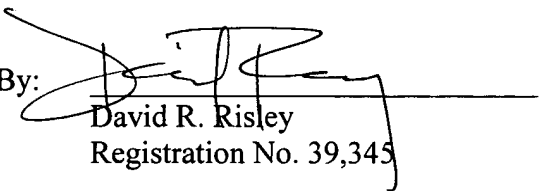
REMARKS

The USPTO has stated that Applicant must file an amended appeal brief because “the brief does not contain a statement or arguments in regards to the Drawing Objection under 37 CFR 1.83(a).” However, in the Advisory Action dated September 23, 2005, the Examiner expressly stated that Applicant’s argument towards the Drawing Objection was persuasive and, therefore, the Examiner *withdrew* the Drawing Objection. See Advisory Action.

In view of the above, Applicant submits that the Appeal Brief filed December 7, 2005 is proper. If there are questions about this matter, the undersigned attorney may be contacted at (770) 933-9500.

Respectfully submitted,

By:


David R. Risley
Registration No. 39,345